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MAY 14 2012

BOARD OF SELECTMEN
MEETING MINUTES

2/7/12

LUNENBURG TOWN
CLERK OFFICE

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall as scheduled with David Matthews, Paula Bertram, Steven M. deBettencourt, Tom Alonzo, Carl "Ernie" Sund and Town Manager Kerry Speidel present. Regular Meeting opened at 7:00 PM with the Pledge of Allegiance.

PUBLIC COMMENT - David Prokowiew, 33 West Street, informed the Board that he had attended a Planning Board/Green Communities Task Force meeting the prior night where he was allowed to give suggestions concerning amending the Town's Solar Bylaw. He felt it was a good meeting and updated the Board on what was discussed. He would still like to see more people from the town involved with this issue because the existing permitting loophole is causing many problems which could affect everyone in the town. He also said that he had shared a guide with Ms. Speidel and Ms. Bertram called Local Officials Guide to Zoning & Land Use for Renewable Energy.

Mr. Matthews thanked Mr. Prokowiew and his group for their involvement in this matter.

Ms. Bertram commented that she read the article that Mr. Prokowiew had given her and thought it was a great article and should be shared with the Planning Board and all of the BOS.

ANNOUNCEMENTS - Mr. Alonzo made an announcement that the Friends of the Lunenburg Public Library will be sponsoring classes given by the Agbekor Drum & Dance Society on February 11 from 11AM-12 Noon and from 1-2PM. There will be a performance given by the class on February 12 from 1-2PM.

Mr. Sund announced that sadly one of Lunenburg's dear citizens, Paul Porter, had passed away. He read all of Mr. Porter's impressive past achievements which included being a member of the Lunenburg Police Department for 46 years, being a member of the Marine Corps Devil Dogs and serving on various town committees as well as the American Legion. Mr. Sund said that we have lost a good citizen who was very dedicated and his thoughts and prayers will always go out to him.

APPOINTMENTS

CURRENT BUSINESS

1. Warrant, Annual Town Meeting, May 5, 2012 – revote closing date to 03/26/12 – Ms. Speidel apologized for suggesting a bad date for the closing of the warrant. According to the Town Charter the warrant has to be kept open until 42 days before town meeting, which would make the closing date March 26. Mr. Alonzo moved that they change the closing date of the town warrant, as recommended by the Town Manager to 4:00 p.m. on March 26, 2012. Mr. Sund seconded. On vote, motion passed, 5 in favor, 0 opposed.

2. BOS Policies & Procedures – Ms. Bertram had prepared a document by formatting and scanning the text to a standard document and had forwarded it to Ms. Speidel. There are some lengthy policies which Ms. Bertram would rather not retype and she is looking for that information in word form documents, or scanning them with a scanner that is capable of OCR scanning, which would be the easiest way to do this. Ms. Speidel said she should be able to finish that up tomorrow and have it put back on the agenda for next week.

3. Request to consider adoption on Open Meetings Law, Section 20 (d), Remote Participation – Ms. Speidel stated that the BOS had received a request from a member of the Sewer Commission to consider adopting the section of the open meetings law that allows for remote participation. She said that State Law allows for remote participation at public meetings if it is adopted by the BOS with conditions. She also stated that you cannot use remote participation to gain a quorum. Conditions are as follows:

- (1) Remote participation is allowed via telephone, internet or satellite enabled audio or visual conferencing so long as the participants are clearly audible.

(2) It's allowable if participants can't physically attend a meeting due to illness, disability, military service, or geographic distance.

(3) It's allowed as long as the Chair announces at the beginning of the meeting who is remotely participating.

Ms. Speidel had sent out an email to Town Boards and Committees to see who was in favor of this and she received a 3-1 response margin in favor of remote participation. There were some concerns raised and they were further definition of "disability, geographic distance" etc. Other concerns were of being able to see the participants and not just hearing them through a telephone. It was also expressed that this would not be appropriate for Executive Session.

At this time the BOS reviewed all issues that may cause concerns with adopting this policy. Questions were raised about the capability of being able to connect to visual conferencing in different meeting areas. Also discussed was the number of times that a person would be able to use the remote participation option.

This item will be discussed again at a future meeting.

4. Minutes/Warrants/Action File Issues – The following minutes and warrants were presented for approval.

1. Minutes: None
2. Warrants – 2/7/12 W # 46-12 \$267,464.97
2/1/12 W # 45-12 \$467,603.24
2/8/12 W # 47-10 \$547,085.32
Presidential Primary warrant
3. Action File Issues – None

5. Committee Report – Mr. Sund said that he had attended the prior evening's joint committee meeting with the Planning Board and Green Communities Task Force. He also attended the Public Access Cable Committee meeting and reported that they are proceeding along with their programming. He also mentioned that he attended the Montachusett Planning Organization meeting where Selectman Paula Bertram was elected as the Sub-Region Representative.

Mr. Alonzo reported that the Budget Committee met on Friday where they focused their discussion on the Chapter 70 changes.

Mr. Matthews reported on the School Building Committee meeting and said that they elected Mike Mackin as the Chair, Mark Ericson as the Vice Chair and Colleen Shapiro as the Clerk. They have just started the process and are looking forward to working with the MSBA.

6. Department Reports – The Town Manager presented two license (Mass Ave Motors Inc., & Chapdelaine Truck Center) with "typos" which needed to be re-signed.

Ms. Speidel presented the BOS with two more licenses to be approved for Central Mass Motor Cycle Ltd./Central Mass Power Sports. They are for a "Class 1 Sale of Second Hand Motor Vehicles" and a Class 3 Motor Vehicle Junk" license . Ms. Speidel said that she has received all of the paperwork which was required of the business, all of their prior issues have been resolved, and they are ready to be approved. Mr. Alonzo moved to approve the Class 1 License and the Class 3 License for Central Mass Motor Cycle LTD and Central Mass Power Sports doing business at 19 Massachusetts Ave. Mr. deBettencourt seconded. On vote, motion carried, 5 in favor, 0 opposed.

Ms. Speidel announced that there is a new schedule for solid waste pickup which allows for Monday – Friday pickup from the vendor, Casella. The vendor said that all households were notified but the Town Manager's office has received phone calls from the public who were not notified. Ms. Speidel said that anyone who has not had their trash picked up to call the BOS and they will arrange for it to be picked up on an alternate day.

Discussion ensued regarding the fact that the BOS thought there would be more information from the vendor, in terms of a formal proposal, before this trash pickup schedule began in the town. A "reverse call" will be made to Lunenburg residents informing them of the schedule change, and it will also be published in the Lunenburg Ledger. The BOS made an apology to the residents who were negatively impacted by this change.

Ms. Speidel said that there have been some questions regarding the Municipal electric aggregation with Unitil concerning the new rate that went into affect in January, and the fact that anyone who did not "opt" out of the program would see the new rate reflected in their service in January. Phone calls have been received from the public saying that their electric

bills (received January) did not reflect the new rate. Ms. Speidel said that the reason being was because those bills were actually for December 2011. She said that anyone that had questions could call the BOS office.

Ms. Speidel brought up the fact that there had been questions regarding the town's solar project on the landfill and whether or not the other two solar projects that are going through conservation and planning will have an impact on the town's ability to connect it to the Unitil project. In the net metering, Unitil is required to purchase 1% of their historical load in renewable energy and an additional 2% from municipal generation. The other two projects (Chase Rd. & Pleasant St.) that qualify for facility projects have no impact on the "caps".

Ms. Bertram brought up the fact that she was at the planning board meeting, where this was discussed, and there were questions raised about the ability of the circuits in that area being overloaded. Mr. Sund responded that the developer for that project has requested from Unitil an engineering study on the power feed to that project, and it was determined that it would be a substantial amount of money to "feed it" to Unitil.

Ms. Speidel said that John Londa and the town's attorney have had extensive conversations with the developer and have received the preliminary impact analysis back, which is a lengthy process. She is not sure that the number is public at this point but that it is sizeable. She stated that she would like it to be completely clear that Unitil is accessing 100% of the cost of these interconnections to the projects and that there is no negotiation to these costs.

7. Town Manager Reports Update on Regional Dispatch- Ms. Speidel reported that last fall, Lunenburg had entered into the inter-municipal agreement to provide regional emergency dispatch services. As of this meeting, it will consist of a four community region (Lunenburg, Ayer, Devens, & Lancaster). Two committees have been formed in accordance with the inter-municipal agreement (operations & executive). Lunenburg's primary representative is Fire Chief Scott Glenn and the secondary rep. is Police Chief Bourgeois. Ms. Speidel is the Appointee to the Executive Committee and has been to all of the meetings. She reported on all of the progress of the Operation Committee meetings.

OLD BUSINESS

APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS –

- 1. Resignation: Sandy Flanagan, COA:** Mr. Matthews read a letter of resignation from Council on Aging board member Sandy Flanagan. Mr. Matthews stated that the BOS appreciated her service to the COA board.

EXECUTIVE SESSION –

- 1.** Being no further business, Mr. Matthews called for a motion to adjourn the regularly scheduled meeting to go into Executive Session under M.G. L. Chapter 39, Section 23B (3), to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also to conduct strategy session in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel.

Mr. deBettencourt moved to adjourn the meeting. Motion was seconded by Mr. Alonzo. The board voted unanimously to adjourn the meeting.

Meeting adjourned at 8:27 p.m.

UPCOMING MEETING SCHEDULE

February 14, 2012

February 21, 2012

*Respectfully submitted,
Susan Doherty, Recording Secretary
Board of Selectmen*